

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

IN RE:)	
DONNY L. JORDY)	
and ELISSICA L. JORDY,)	
)	
Debtors.)	
_____)	
)	
DONNY L. JORDY,)	
and ELISSICA L. JORDY,)	
)	
Plaintiffs/Appellants,)	
)	
v.)	No. 2:11-CV-022
)	
CONSUMER AUTO FINANCE)	
AND EZPAY,)	
)	
Defendant/Appellee.)	

ORDER

The appellants have not served and filed their brief as required by Fed. R. Bankr. P. 8009 and by order of the court [doc. 2]. By order dated March 10, 2011 [doc. 3], the appellants were again ordered to file their brief. The court cautioned the appellants that their appeal could be dismissed for failure to prosecute if the brief was not filed by March 25, 2011. That deadline passed without response.

By order dated March 28, 2011 [doc. 5], the court again ordered the appellants to file their brief, no later than April 8, 2011. That order made clear to the appellants that the failure to file their brief by April 8 would result in the immediate dismissal of their appeal

for failure to prosecute. The April 8 deadline has now passed without response.

It is noted that the docket sheet contains two addresses for the appellants. The court's mailings to one of these addresses (East Stone Drive) have been returned as undeliverable [docs. 4, 6]. However, the court's mailings to the other address (Larry Neil Way) have not been returned, and that is the address provided by both appellants on their notice of appeal [doc. 1, ex. 31, p.2]. It is therefore presumed that all of the court's prior orders have been received by both appellants.

Due to the appellants' failure to comply with three prior orders directing them to timely file their appellate brief, this bankruptcy appeal is **DISMISSED** for failure to prosecute.

IT IS SO ORDERED:

ENTER:

s/ Leon Jordan
United States District Judge